

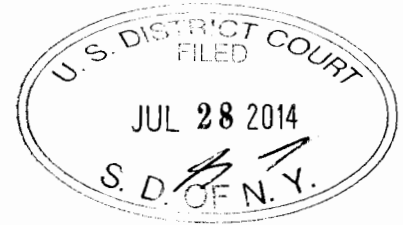
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Approved:



RICHARD A. COOPER
Assistant United States Attorneys



Before: HONORABLE DEBRA FREEMAN
United States Magistrate Judge
Southern District of New York

14 MAG 1639

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: SEALED COMPLAINT
UNITED STATES OF AMERICA :
:
- v. - : Violations of
: 18 U.S.C. §§ 1951,
RALPH NOLAN, : 924(c)(1)(A)(ii), and 2
:
Defendant. : COUNTY OF OFFENSE:
: BRONX
:
- - - - - X

SOUTHERN DISTRICT OF NEW YORK, ss.:

AYESHA WINSTON, being sworn, deposes and says that she is a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives ("ATF") and charges as follows:

COUNT ONE

1. On or about December 16, 2013, in the Southern District of New York and elsewhere, RALPH NOLAN, the defendant, and others known and unknown, unlawfully and knowingly did combine, conspire, confederate, and agree together and with each other to commit robbery, as that term is defined in Title 18, United States Code, Section 1951(b)(1), and would and did thereby obstruct, delay, and affect commerce and the movement of articles and commodities in commerce, as that term is defined in Title 18, United States Code, Section 1951(b)(3), to wit, NOLAN and others agreed to rob at gunpoint the residents of an apartment located in the Bronx, New York, whom they believed to be narcotics traffickers, of marijuana which had been transported from a location outside of New York, and did rob from them valuables at gunpoint.

(Title 18, United States Code, Section 1951.)

COUNT TWO

2. On or about December 16, 2013, in the Southern District of New York and elsewhere, RALPH NOLAN, the defendant, and others known and unknown, unlawfully and knowingly did attempt to commit robbery, as that term is defined in Title 18, United States Code, Section 1951(b)(1), and would thereby have obstructed, delayed, and affected commerce and the movement of articles and commodities in commerce, as that term is defined in Title 18, United States Code, Section 1951(b)(3), to wit, NOLAN and others did attempt to rob the residents of an apartment located in the Bronx, New York of marijuana which had been transported from a location outside of New York.

(Title 18, United States Code, Sections 1951 and 2.)

COUNT THREE

3. On or about December 16, 2013, in the Southern District of New York and elsewhere, RALPH NOLAN, the defendant, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, namely, the attempted robbery charged in Count Two of this Complaint, knowingly did use and carry firearms, and in furtherance of such crime, did possess firearms, and did aid and abet the use, carrying, and possession of firearms, one and more of which was brandished during the attempted robbery.

(Title 18, United States Code, Sections 924(c)(1)(A)(ii) and 2.)

The bases for my knowledge and the foregoing charges are, in part, as follows:

4. I am a Special Agent with the ATF. I have been personally involved in the investigation of this matter. This affidavit is based upon my conversations with other law enforcement agents, my conversations with witnesses and victims, and my examination of reports and records. Because this affidavit is being submitted for the limited purpose of establishing probable cause, it does not include all the facts that I have learned during the course of my investigation. Where the contents of documents and the actions, statements and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

5. From my review of New York City Police Department ("NYPD") reports, and my conversations with other law enforcement officers, I have learned, among other things, that:

a. On or about the afternoon of December 16, 2013, an individual later identified as RALPH NOLAN, the defendant, and another male ("CC-1") forced their way into an apartment in the Bronx, New York (the "Apartment"), by brandishing firearms.

b. Six individuals, including a toddler, were present in the Apartment. NOLAN and CC-1 bound the hands of at least three of those individuals.

c. NOLAN and CC-1, in substance and in part, demanded cash and drugs from the occupants of the Apartment. NOLAN and CC-1 searched the Apartment, took a number of items, including electronic devices, a leather jacket, and a pink laundry bag, and fled.

6. From my review of surveillance images captured from the apartment building where the Apartment is located (the "Building"), I have learned, among other things, that:

a. Shortly before the robbery, three males entered the Building. Those three males then entered an elevator.

b. After the robbery, two males, one carrying what appears to be a pink laundry bag, exited the Building, approached an automobile that had its trunk open, placed the pink laundry bank into the automobile's trunk, and drove away.

7. I have compared a surveillance image of one of the three males in the Building's elevator, as described in paragraph 6(a), with a photograph contained in a Government database for RALPH NOLAN, the defendant, and the two appear to depict the same individual.

8. From my review of New York City Police Department ("NYPD") reports, and my participation in the investigation, I have learned, among other things, that three of the individuals who were present in the Apartment during the robbery on December 16, 2013 independently reviewed photo arrays, and each identified a picture of RALPH NOLAN, the defendant, as one of the two individuals who committed the robbery.

9. From my conversations with one of the individuals present in the Apartment during the robbery on December 16, 2013 ("Victim-1"), I have learned, among other things, that prior to the robbery, Victim-1 had obtained marijuana from New Jersey and had stored it in the Apartment.

WHEREFORE, the deponent respectfully requests that a warrant be issued for the arrest of RALPH NOLAN, the defendant, and that he be arrested and imprisoned or bailed, as the case may be.



AYESHA WINSTON
Special Agent
Bureau of Alcohol, Tobacco,
Firearms and Explosives

Sworn to before me this
28th day of July, 2014



HONORABLE DEBRA FREEMAN
United States Magistrate Judge
Southern District of New York